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By ECF

The Honorable Louis L. Stanton
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July 23, 2024

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Re: *Frontier Airlines v. AMCK Aviation*, 20 Civ. 9713 (LLS)

Your Honor:

In its Reply Brief in Support of Motion for Attorney's Fees, Costs, and Expenses filed yesterday (Dkt. No. 186), Plaintiff makes an additional request for \$10,102.35 in fees and expenses incurred in the preparation of the Reply Brief. Such "fees on fees" are not permitted under controlling Second Circuit precedent. *See F.H. Krear & Co. v. Nineteen Named Trustees*, 810 F.2d 1250, 1266 (2d Cir. 1987) (holding that "a general contract provision for the shifting of attorneys' fees does not authorize an award of fees for time spent in seeking the fees themselves").

Since this additional request was made for the first time on reply, we write to request permission to file a two-page sur-reply to address this narrow subject only.

Respectfully submitted,

s/ Jeff E. Butler

Jeff E. Butler

Granted
Louis L. Stanton
7/25/24